

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

EVGENY BURYAKOV,
a/k/a "Zhenya,"
IGOR SPORYSHEV, and
VICTOR PODOBNYY,

Defendants.

- - - - - x

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: INDICTMENT

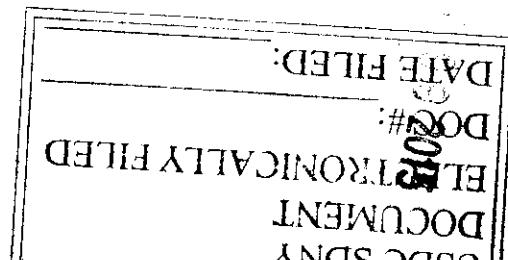
: 15 Cr.

: **15 CRIM073**

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OVERVIEW

1. The Foreign Agents Registration Act ("FARA"), Title 22, United States Code, Section 611, et seq., requires individuals residing in the United States who are acting as agents for foreign governments or foreign officials to notify the Attorney General of the United States. FARA was enacted to ensure that the United States government is aware of those acting within its borders on behalf of foreign governments. This information permits the United States government to remain informed of the foreign agents' activities in the United States and to protect the national security and foreign policy interests of the United States. For this purpose, the Department of Justice ("DOJ") maintains records of all individuals who have registered as agents of foreign governments.



2. The SVR is the foreign intelligence agency for the Russian Federation. The SVR headquarters is located in Moscow and is known as "Moscow Center" or "Center." The SVR deploys its agents to foreign countries using different methods to conceal the agents' work as intelligence agents. Certain SVR agents operating abroad pose as official representatives of the Russian Federation, including in positions as diplomats or trade officials. A second group of SVR agents stationed abroad pose as employees of private businesses. SVR agents operating under such non-official cover - sometimes referred to as "NOCs" - typically are subject to less scrutiny by the host government, and, in many cases, are never identified as intelligence agents by the host government. At the direction and under the control of the SVR, the primary mission of each of these groups of SVR agents is to gather information for Russia about the foreign country, and to recruit intelligence sources that could assist in influencing the policies of public and private institutions in the foreign country.

3. From in or about August 2010 through in or about January 2015, EVGENY BURYAKOV, a/k/a "Zhenya," the defendant, was working within the United States as an SVR agent under "non-official cover," meaning he entered and remained in the United States as a private Russian citizen. Specifically, BURYAKOV was

posing as an employee in the Manhattan office of a Russian bank. In fact, BURYAKOV was an employee of the SVR working to gather intelligence on behalf of Russia. A review of DOJ records indicates that BURYAKOV has never notified DOJ that he is an agent of the Russian Federation or of any other country.

4. From on or about November 22, 2010, to on or about November 21, 2014, IGOR SPORYSHEV, the defendant, served as a Trade Representative of the Russian Federation in New York. From on or about December 13, 2012, to on or about September 12, 2013, VICTOR PODOBNYY, the defendant, served as an Attaché to the Permanent Mission of the Russian Federation to the United Nations based in New York.

COUNT ONE

CONSPIRACY TO ACT AS AN UNREGISTERED AGENT OF A FOREIGN GOVERNMENT

The Grand Jury charges:

5. From in or about 2012, up to and including January 26, 2015, in the Southern District of New York and elsewhere, EVGENY BURYAKOV, a/k/a "Zhenya," IGOR SPORYSHEV, and VICTOR PODOBNYY, the defendants, and others known and unknown, willfully and knowingly, did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, Title 18, United States Code, Section 951.

6. It was a part and an object of the conspiracy that EVGENY BURYAKOV, a/k/a "Zhenya," the defendant, willfully and knowingly, would and did act in the United States as an agent of a foreign government, specifically the Russian Federation, and as an agent of foreign officials, specifically intelligence agents working in New York City for the SVR, without prior notification to the Attorney General, as required by law, in violation of Title 18, United States Code, Section 951.

OVERT ACTS

7. In furtherance of said conspiracy and to effect the illegal object thereof, EVGENY BURYAKOV, a/k/a "Zhenya," IGOR SPORYSHEV, and VICTOR PODOBNYY, the defendants, committed the following overt acts, among others, in the Southern District of New York and elsewhere:

a. From at least in or about March 2012, up to and including in or about September 2014, BURYAKOV met with SPORYSHEV on approximately four dozen occasions at locations in and around Manhattan and the Bronx, for the purpose of exchanging information related to their work as intelligence agents operating within the United States for the SVR.

b. In or about November 2012 and March 2013, under the cover of his position as a banker, BURYAKOV traveled

to a foreign country to collect economic intelligence for the SVR.

c. On or about May 23, 2013, during a recorded conversation that occurred within a secure office in Manhattan used by SVR agents, SPORYSHEV and PODOBNYY discussed transmitting the economic intelligence collected by BURYAKOV and referenced in paragraph 7(b) above to SVR headquarters in Moscow.

(Title 18, United States Code, Section 371.)

COUNT TWO

ACTING AS AN UNREGISTERED AGENT OF A FOREIGN GOVERNMENT

The Grand Jury further charges:

8. From in or about 2012, up to and including January 26, 2015, in the Southern District of New York and elsewhere, EVGENY BURYAKOV, a/k/a "Zhenya," the defendant, did knowingly act in the United States as an agent of a foreign government, specifically the Russian Federation, and as an agent of foreign officials, specifically intelligence agents working in New York City for the SVR, without prior notification to the Attorney General, as required by law, and IGOR SPORYSHEV and VICTOR PODOBNYY, the defendants, did aid and abet the same, in violation of Title 18, United States Code, Sections 951 and 2.

(Title 18, United States Code, Sections 951 and 2.)

FORFEITURE ALLEGATION

9. As a result of committing the offenses of failing to register as an agent of a foreign government and aiding and abetting and conspiring to do the same, as alleged in Counts One and Two of this Indictment, EVGENY BURYAKOV, a/k/a "Zhenya," IGOR SPORYSHEV, and VICTOR PODOBNYY, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, all property constituting and derived from proceeds obtained directly and indirectly as a result of the offenses alleged in Counts One and Two of the Indictment, including a sum of U.S. currency representing the approximate amount of proceeds obtained as a result of the offenses.

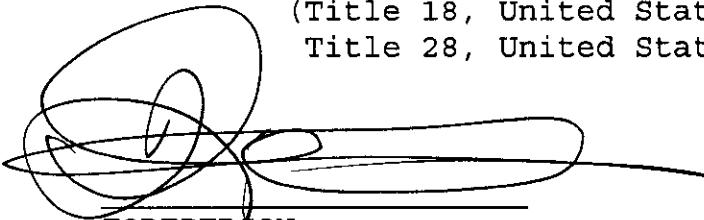
Substitute Assets Provision

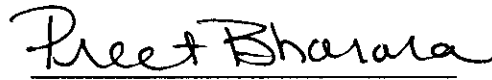
10. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:
- a. cannot be located upon the exercise of due diligence;
 - b. has been transferred or sold to, or deposited with, a third person;
 - c. has been placed beyond the jurisdiction of the Court;

- d. has been substantially diminished in value;
or
- e. has been commingled with other property
which cannot be subdivided without
difficulty;

it is the intent of the United States, pursuant to Title 21,
United States Code, Section 853(p), to seek forfeiture of any
other property of said defendants up to the value of the above
forfeitable property.

(Title 18, United States Code, Section 981 and
Title 28, United States Code, Section 2461.)



FOREPERSON

PREET BHARARA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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INDICTMENT

15 Cr.

(18 U.S.C. §§ 951, 371, and 2.)

PREET BHARARA
United States Attorney.

A TRUE BILL


Foreperson.

*2/9/15 - Filed Indictment
re Case assigned to Judge Berman
Jud Thomas*